

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICIA BROOKS,

Plaintiff,

CASE NUMBER: 13-14420

HONORABLE VICTORIA A. ROBERTS

v.

EDMOUND GLYNN,

Defendant.

_____ /

ORDER

On October 21, 2013, Plaintiff Patricia Brooks filed a *pro se* complaint against Edmound Glynn. Plaintiff also filed an application to proceed *in forma pauperis* and an application for appointment of counsel.

The Court **GRANTS** the application to proceed *in forma pauperis*. This action is **DISMISSED** under 28 U.S.C. § 1915(e)(2)(B) as frivolous and for failing to state a claim on which relief may be granted. Plaintiff's application for appointment of counsel is **DENIED**.

Plaintiff's complaint is comprised of disconnected allegations; it does not contain any requested relief. Although her complaint, for the most part, is incomprehensible, it appears that Plaintiff alleges, among other things, that Glynn: (1) was "coming" and "going" from her hotel room in Arizona; (2) "has been fatal to [her] bad health"; (3) "has beat and raped 15 grand child (sic) for to (sic) many years"; and (4) "ordered a hit on Terrance Brooks." Plaintiff also says she has never met Glynn.

Under 28 U.S.C. § 1915(e)(2)(B), the Court must dismiss any action filed *in*

forma pauperis that is factually frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from suit. Factual frivolousness includes allegations that are “clearly baseless,” “fantastic,” or “delusional.” See *Neitzke v. Williams*, 490 U.S. 319, 327-28 (1989).

Plaintiff’s complaint is frivolous pursuant to § 1915(e)(2)(B)(i), as it is fantastic, delusional, and clearly baseless. Since Plaintiff does not request any relief, the complaint also fails to state a claim upon which relief may be granted under §1915(e)(2)(B)(ii).

In addition, Plaintiff fails to allege any basis for federal subject matter jurisdiction. Plaintiff does not state any claims “arising under the Constitution, laws, or treaties of the United States,” so the Court does not have federal question jurisdiction under 28 U.S.C. § 1331. The Court does not have jurisdiction under 28 U.S.C. § 1332 based on diversity, either, since Plaintiff fails to state her citizenship or Glynn’s, and she does not allege that the amount in controversy exceeds \$75,000.

Plaintiff’s request to proceed *in forma pauperis* is **GRANTED**. Plaintiff’s Complaint is **DISMISSED** and her application for appointment of counsel is **DENIED**.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: October 29, 2013

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 29, 2013.

S/Linda Vertriest _____
Deputy Clerk